

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested. Claims 45-58 have previously been canceled from the present application. Claims 1, 5-11, 15-26, 30, and 35-41 are canceled herein. Claims 2, 12, 27-29, 31-34, and 42-44 have been amended herein, and claim 59 has been added. Thus, claims 2-4, 12-14, 27-29, 31-34, 42-44, and 59 are presently pending, with claim 27 being the sole independent claim.

Applicant wishes to express its appreciation for the interview conducted on August 28, 2006, and thank the Examiner for his time and consideration given during that interview. It is noted that claims 27 and 35 and proposed amendments to those claims were discussed during the interview. Moreover, it was agreed that the proposed amendments to claim 27 would be presented formally for further consideration and review.

Accordingly, Applicant has amended independent claim 27 herein to the include the amendments discussed during the interview. It is particularly noted that claim 27 has been amended to recite a soccer goal assembly including a soccer goal and a goal pad. The goal includes an orthogonally shaped post, with a front section and generally perpendicular side sections. The pad wall presents an inner surface that defines a central opening. Furthermore, the wall includes at least three longitudinally extending, generally straight wall portions, with a pair of the wall portions being spaced apart and projecting from a first one of the wall portions. The body presents a longitudinally extending slot defined between opposed longitudinal edges. The body is formed of a compressible and resilient material that provides impact-cushioning along the playing surface and permits resilient

flexing thereof so that the edges are resiliently separable to receive the post within the slot as the goal pad is installed or removed. The body is in a resiliently flexed condition when received on the post and in a relatively unflexed condition when located off of the post. The pair of wall portions converge toward the slot when the body is in the unflexed condition and are less convergent when the body is in the flexed condition. The wall portions assume a generally orthogonal shape, and the inner surface contacts and closely conforms to the post shape when the body is received on the post.

The structure recited in amended claim 27 provides numerous advantages over the prior art references of record. The present invention is specifically designed to afford the desired safety to players (by providing cushioning along the goal), while minimizing the padding's affect on goal dimensions and ball bounce off the goal. According to claim 27, the goal pad is in a flexed condition on the orthogonally-shaped goal post so that the wall portions assume a complementary shape, with the inner surface of the pad closely conforming to and contacting the post. As discussed during the interview, it has been determined that such a snug fit of the pad on the post greatly contributes to the desired function of the assembly.

In the Office Action of May 4, 2006, claim 27 is rejected under § 103(a) as being unpatentable over the Stewart '928 patent in view of the Safefoam non-patent literature. The Stewart '928 patent discloses a soccer goal with telescopically interfitted spring-biased sections for allowing the frame to flex when impacted by a player. The Safefoam literature discloses circular foam padding (similar to pipe insulation) secured on fencing with tie wraps. As discussed during the interview, these references, when considered singly or in combination, fail to show or suggest the

use of the structure recited in amended claim 27. In particular, these references do not disclose or suggest the use of an orthogonally shaped goal post with a pad having straight wall sections, opposite ones of which are less convergent when placed on the post so that the pad is in a flexed condition, with the pad wall assuming an orthogonal shape and the inner surface thereof closely conforming to and contacting the post (as recited in claim 27).

Furthermore, none of the other references of record, when considered singly or in combination, show or suggest the use of the structure recited in amended claim 27. Therefore, Applicant respectfully submits that claim 27 is allowable over the prior art references of record.

Claims 28, 29, and 31-34 depend from claim 27. Furthermore, the necessary amendments have been made so that claims 2-4, 12-14, and 42-44 now depend from claim 27. Yet further, new claim 59 depends from claim 27. These dependent claims recite additional features of the invention not shown or suggested by the prior art references of record and should also be in condition for allowance.

Finally, Applicant notes that claim 20 is rejected in the Action under 35 U.S.C. § 112, ¶ 2, as being indefinite because of the language “overlie the playing surface.” Although claim 20 has been canceled, similar language is now in amended claim 27. It was agreed, however, during the course of the interview that this language is acceptable.

In view of the foregoing, the present application should now be in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

Appl. No. 10/710,625
Amdt. dated September 5, 2006
Reply to Office Action of May 4, 2006

A 1-month Petition for Extension of Time accompanies this Amendment, along with authorization to charge \$60.00 to the undersigned's Deposit Account No. 19-0522 for the petition fee set forth in 37 C.F.R. § 1.17. The Commissioner is further authorized to charge any additional fees associated with this communication or credit any overpayment to said Deposit Account.

Respectfully submitted,

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